

07-12-00

A

REISSUE

REISSUE PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 68895

First Named Inventor or  
Application Identifier: James J. FITZGIBBON

12800 U.S. PTO  
09/614222  
07/11/00

Box REISSUE  
Commissioner of Patents and Trademarks  
ATTENTION: Assistant Commissioner  
for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith is the application  
for reissue of:

- (X) U.S. Utility Patent
- ( ) Plant Patent
- ( ) Design Patent

- ) CERTIFICATE OF MAILING BY "EXPRESS MAIL"
- ) "Express Mail" Mailing Label Number
- ) EL 560093326 US
- ) Date of Deposit July 11, 2000
- ) I hereby certify that this paper or fee is being
- ) deposited with the United States Postal Service
- ) "Express Mail Post Office to Addressee" Service
- ) under 37 CFR §1.10 on the date indicated above and
- ) is addressed to the Commissioner of Patents and
- ) Trademarks, Washington, D.C. 20231.
- )
- ) ED PRICE
- ) (Typed or printed name of person mailing)
- )
- ) (Signature of person mailing)
- )

No. 5,780,987 issued on July 14, 1998

Inventors: James J. Fitzgibbon and John V. Moravec

Title: BARRIER OPERATOR HAVING SYSTEM FOR DETECTING ATTEMPTED  
FORCED ENTRY

ENCLOSED ARE THE FOLLOWING:

- 1. (X) 73 pages of the specification and claims.
- (X) 1 page of abstract
- (X) 14 sheets of drawings ( ) Formal ( ) Informal.

2. (X) Drawings:

- (X) No changes in the drawings, upon which the original patent was issued, are to be made. Therefore, in accordance with 37 C.F.R. §1.174(a), please find attached, in the size required for original drawings:
- (X) a copy of the printed drawings of the patent.
- ( ) a photoprint of the original drawings.
- (X) a letter requesting transfer of the drawings from the original patent file to this reissued application is attached.

3. (X) Declaration

(X) 3 pages of Declaration (UNSIGNED).

4. (X) Inventorship:

( ) A newly-executed oath or declaration and power of attorney is enclosed (for continuation-in-part applications, or for continuation or divisional applications naming an inventor not named in the prior application) (§1.63(a), (d)(5) and (e)).

( ) Because this application is being filed by fewer than all of the inventors named in the prior application, delete the following inventor(s) named in the prior nonprovisional application (37 C.F.R. §1.63(d)(1)(2)):

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(X) The names of persons believed to be the actual inventors are set forth in the enclosed unexecuted oath or declaration and power of attorney (§1.41(a) and §1.53(b)).

5. ( ) Assignment(s) of the invention to \_\_\_\_\_ and cover sheet are enclosed.

( ) A check in the amount of \$\_\_\_\_\_ to cover the fee for recording the assignment(s) is enclosed.

6. (X) The prior application is assigned of record to

The Chamberlain Group, Inc.

7. Letters Patent. Enclosed is:

- ( ) Original letters patent.
- ( ) Declaration that original letters patent lost or inaccessible.
- ( ) A copy of the original printed patent.

(X) Offer to surrender the original letters patent in accordance with 37 C.F.R. §1.178.

( ) Offer to surrender is by the inventor.

(X) Offer to Surrender is by assignee of the entire interest.

8. (X) Also enclosed:

(X) Assent of Assignee to reissue

(X) Certificate Under 37 C.F.R. §3.73(B)

9. ( ) A preliminary amendment is enclosed.

10. ( ) Small Entity Status (37 C.F.R. §1.28(a)(2)):
  - ( ) A statement of status as a small entity is enclosed.
  - ( ) A statement of status as a small entity was filed in the prior application, and small entity status is still proper and desired in this reissue application.
  - ( ) Status as a small entity is no longer claimed.
11. (X) A separate written request under 37 C.F.R. §1.136(a)(3), which is a general authorization to treat any concurrent or future reply requiring a petition for an extension of time under 37 C.F.R. §1.136(a) for its timely submission as incorporating a petition for an extension of time for the appropriate length of time, is enclosed.
12. (X) An Information Disclosure Statement is enclosed.
  - (X) A Form PTO-1449 is enclosed.
  - (X) 3 References (copies) listed on the Form PTO-1449 are enclosed.
13. ( ) A MicroFiche Computer Program (Appendix) is enclosed.
14. (X) A Return Receipt Postcard is enclosed (MPEP §503).
15. ( ) A Nucleotide and/or Amino Acid Sequence Submission is enclosed.
  - ( ) A Computer Readable Copy is enclosed.
  - ( ) A Paper Copy (Identical to Computer Copy) is enclosed.
  - ( ) A Statement Verifying Identity of above Copies is enclosed.
16. ( ) Priority of application number        /        filed on        in        is claimed under 35 U.S.C. §119.
  - ( ) The certified copy of the priority document has been filed in prior application number        /       , filed       .
  - ( ) A certified copy of the priority document is enclosed.
17. (X) Power of Attorney:
  - (X) The power of attorney in the U.S. patent is to:
    - (X) Kenneth H. Samples Reg. No. 25,747,  
FITCH, EVEN, TABIN, & FLANNERY  
Suite 1600  
120 South LaSalle Street  
Chicago, Illinois 60603-3406  
and other members of the firm.
    - ( ) Customer Number 22242.



- (X) The power appears in the original papers in the prior application.  
 ( ) Since the power does not appear in the original papers in the prior application a new power is enclosed.

18. (X) The filing fee is calculated below:

(X) Basic Fee	\$ 690.00	\$ <u>Deferred</u>
• (X) Independent Claims <u>8</u> - 3 = <u>5</u> x \$ 78.00 =	\$ <u>Deferred</u>	
• (X) Total Claims <u>40</u> - 20 = <u>20</u> x \$ 18.00 =	\$ <u>Deferred</u>	
• ( ) Fee for Multiply Dependent Claims	\$260.00	\$ <u>0</u>
or		
( ) Basic Design Fee	\$ 310.00	\$ <u>          </u>
Total of above Calculations		\$ <u>Deferred</u>
Reduction by 50% for Filing by Small Entity		\$ <u>          </u>
Total		\$* <u>Deferred</u>

20. (X) **\*PAYMENT OF THE FILING FEE IS TO BE DEFERRED UNTIL FILING OF THE SIGNED DECLARATION. DO NOT CHARGE OUR DEPOSIT ACCOUNT.**
21. (X) The Commissioner is hereby authorized to charge any fees which may be required under 37 C.F.R. §§1.16 and 1.17 and are not paid herewith, or credit any overpayment, to Deposit Account Number 06-1135. A duplicate copy of this request is enclosed.
- 22 (X) Address all future communications to Customer Number 22242.



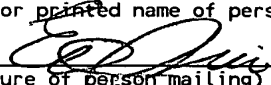
FITCH, EVEN, TABIN & FLANNERY  
 Suite 1600  
 120 South LaSalle Street  
 Chicago, Illinois 60603-3406  
 Telephone: (312) 577-7000  
 Facsimile: (312) 577-7007

July 11, 2000  
 (Date)

Kenneth H. Samples  
 Kenneth H. Samples  
 Registration No. 25,747  
 (x) Attorney or agent of record  
 ( ) Filed under §1.34(a)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue of U.S. Patent  
No. 5,780,987

Applicants:	James J. FITZGIBBON	)	<u>CERTIFICATE OF MAILING BY "EXPRESS MAIL"</u>
	John V. MORAVEC	)	"Express Mail" Mailing Label Number
		)	EL 560093326 US
Application No.:	N/A	)	
Filed:	Concurrently	)	Date of Deposit <u>July 11, 2000</u>
Herewith		)	I hereby certify that this paper or fee
		)	is being deposited with the United States
		)	Postal Service "Express Mail Post Office
Title:	BARRIER OPERATOR	)	to Addressee" Service under 37 CFR §1.10
	HAVING SYSTEM FOR	)	on the date indicated above and
	DETECTING ATTEMPTED	)	is addressed to the Commissioner of
	FORCED ENTRY	)	Patents and Trademarks, Washington, D.C.
Group		)	20231.
Art Unit:	N/A	)	<u>ED PRICE</u>
		)	(Typed or printed name of person mailing)
Examiner:	N/A	)	
		)	(Signature of person mailing)

REQUEST FOR TRANSFER OF DRAWINGSFROM ORIGINAL PATENT TO REISSUE APPLICATION

BOX REISSUE  
Honorable Commissioner of Patents  
and Trademarks  
ATTENTION: Assistant Commissioner for Patents  
Washington, D.C. 20231

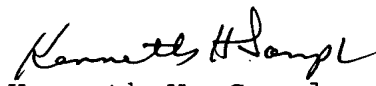
Sir:

Please transfer the drawings from original Patent No. 5,780,987 which were filed on February 5, 1998, for the invention entitled BARRIER OPERATOR HAVING SYSTEM FOR DETECTING ATTEMPTED FORCED ENTRY, to the reissue application, the specification of which is attached hereto.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By:

  
Kenneth H. Samples  
Registration No. 25,747

Date: July 11, 2000

FITCH, EVEN, TABIN & FLANNERY  
120 S. LaSalle St., Suite 1600  
Chicago, Illinois 60603-3406  
Telephone: (312) 577-7000  
Facsimile: (312) 577-7007

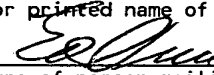
REISSUE

Attorney Docket No. 68895

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue of U.S. Patent  
No. 5,780,987



Applicants:	James J. FITZGIBBON	)	<u>CERTIFICATE OF MAILING BY "EXPRESS MAIL"</u>
	John V. MORAVEC	)	"Express Mail" Mailing Label Number
		)	EL 560093326 US
Application No.:	N/A	)	
Filed:	Concurrently	)	Date of Deposit <u>July 11, 2000</u>
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		)	is being deposited with the United States
Title:	BARRIER OPERATOR	)	Postal Service "Express Mail Post Office
	HAVING SYSTEM FOR	)	to Addressee" Service under 37 CFR §1.10
	DETECTING ATTEMPTED	)	on the date indicated above and
	FORCED ENTRY	)	is addressed to the Commissioner of
		)	Patents and Trademarks, Washington, D.C.
Group		)	20231.
Art Unit:	N/A	)	<u>ED PRICE</u>
		)	(Typed or printed name of person mailing)
Examiner:	N/A	)	
		)	(Signature of person mailing)

OFFER OF SURRENDER

Box REISSUE  
Honorable Commissioner of Patents  
and Trademarks  
ATTENTION: Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with 37 C.F.R. §1.178, the assignee of the entire interest, The Chamberlain Group, Inc., offers to surrender United States Patent No. 5,780,987, issued July 14, 1998, entitled BARRIER OPERATOR HAVING SYSTEM FOR DETECTING ATTEMPTED FORCED ENTRY.

THE CHAMBERLAIN GROUP, INC.

Date: July 7, 2000

By: Mark B. Tone  
Mark B. Tone  
Title: Vice President